

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

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UNITED STATES OF AMERICA	)	
	)	
v.	)	Crim. No. 24-cr-00003-SM-AJ
	)	
THOMAS CONWAY	)	
	)	

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**DEFENDANT'S ASSENTED TO MOTION TO CONTINUE TRIAL**

The defendant, Thomas Conway, moves this Court to continue the trial of this matter, which is presently scheduled for May 20, 2025. Mr. Conway seeks a continuance of to September 2025. The remaining defendants who have not yet pleaded guilty each assent to this motion. As grounds for this motion, he states the following:

1. Mr. Conway is charged with conspiracy to distribute a controlled substance.
2. Trial is scheduled to begin on May 20, 2025.
3. Mr. Conway has filed a motion seeking a hearing to determine his competency to stand trial. ECF No. 144. In response, the government has moved for a court-ordered competency evaluation. ECF No. 156. Mr. Conway submitted a memorandum in partial opposition to the government's motion. ECF No. 158.
4. The issues surrounding Mr. Conway's competency to stand trial have yet to be decided.

The parties are in the process of scheduling hearings on these outstanding motions. Counsel's belief, based on the report of a forensic psychologist and his interactions with Mr. Conway, is that he is not competent.

5. In order to litigate the competency issue, a continuance of the trial is required.
6. Mr. Conway is aware of the need to continue the trial in order to address his competence to stand trial. Counsel spoke with Mr. Conway today and explained to him that by

seeking a continuance he is waiving his constitutional and statutory rights to a speedy trial. Mr. Conway assents to the continuance. Counsel will mail a copy of this motion to Mr. Conway.

7. The government, through AUSA Heather Cherniske, assents to this motion.
8. Counsel for Mr. Conway conferred with counsel for other defendants whose cases remain pending. Through their counsel, defendants Zachary Albert, Serene Hull, Michael Raiche, and Matthew Schnell assent to this motion to continue. Counsel wish for additional time to explore potential dispositions of their clients' cases prior to trial.

THOMAS CONWAY  
By His Attorneys,

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April 29, 2025

Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on or before the above date.

Daniel J. Gaudet  
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